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8 *Attorneys for Defendant Lowe's Home
9 Centers, LLC*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DANNY JACK HART and IRENE
13 LINDSAY, individually,

14 Plaintiffs,

15 vs.

16 LOWE'S HOME CENTERS, LLC, a foreign
17 corporation, DOE INDIVIDUALS 1-20 and
DOES I through X and ROE ENTITIES 1-20,

18 Defendants.

CASE NO. 2:20-cv-00773-GMN-DJA

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANT TO
FILE A REPLY TO THE PLAINTIFF'S
RESPONSE IN OPPOSITION TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

[FIRST REQUEST]

19 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, DANNY
20 JACK HART, by and through his attorney, E. Brent Bryson, Esq. of E. Brent Bryson, Ltd.,
21 and Defendant LOWE'S HOME CENTERS, LLC, by and through its attorneys, Steven T.
22 Jaffe, Esq. and Kevin S. Smith, Esq., of Hall Jaffe & Clayton, LLP, as follows:

23 1. That Lowes filed its Motion for Summary Judgment on February 24, 2023 [ECF
24 No. 57];
25 2. That the parties stipulated to extend the deadline for Plaintiff's response brief in
opposition to Defendant's motion for summary judgment to March 24, 2023; [ECF No.
26 59];
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- 1 3. That the Court granted that request and ordered that Plaintiff was permitted to March
- 2 24, 2023, to file a response brief to Defendant's motion for summary judgment; [ECF
- 3 No. 59];
- 4 4. That, due to reasons unknown, Kevin S. Smith, Esq. did not receive electronic service of
- 5 the Plaintiff's response brief, and only learned on April 14, 2023, that a response brief
- 6 was filed;
- 7 5. That any reply to the Plaintiff's response brief was due on or before April 7, 2023, or
- 8 fourteen (14) days after service of the response brief; [LR 7-2];
- 9 6. That, on March 3, 2023, the Court referred this matter to Magistrate Judge Daniel J.
- 10 Albregts for settlement conference; [ECF No. 58];
- 11 7. That, on March 14, 2023, the Court issued its Order Setting Settlement Conference for
- 12 May 24, 2023; [ECF No. 62];
- 13 8. That, on information and belief, the Court may not rule on the pending motion for
- 14 summary judgment until after the pending Settlement Conference, in the interests of
- 15 judicial economy;
- 16 9. Therefore, there is good cause and the parties agree to extend the deadline for Defendant
- 17 to file its brief in reply to the Plaintiff's response in opposition to Defendant's motion
- 18 for summary judgment by an additional fourteen (14) days to April 28, 2023.

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1 10. That this is the first request to extend Defendant's response deadline and is not being
2 made for the purpose of delay.

3 Dated: April 14, 2023.

4 HALL JAFFE & CLAYTON, LLP

5 */s/ Kevin S. Smith, Esq.*
6 Steven T. Jaffe, Esq.
7 Nevada Bar No. 007035
8 Kevin S. Smith, Esq.
9 Nevada Bar No. 007184
7425 Peak Drive
Las Vegas, Nevada 89128
10 *Attorneys for Defendant Lowe's Home*
11 *Centers, LLC*

Dated: April 14, 2023.

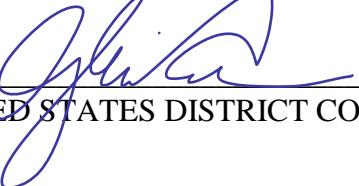
E. BRENT BRYSON, LTD.

/s/E. Brent Bryson, Esq.
E. Brent Bryson Esq.
Nevada Bar No. 004933
3202 W. Charleston Blvd.
Las Vegas, NV 89102
12 *Attorneys for Plaintiff Danny Jack Hart*

13 **ORDER**

14 IT IS SO ORDERED.

15 Dated this 17 day of April, 2023.

16 
17 UNITED STATES DISTRICT COURT JUDGE

18 Respectfully Submitted by:

19 Dated: April 14, 2023.

20 HALL JAFFE & CLAYTON, LLP

21 */s/ Kevin S. Smith, Esq.*
22 Steven T. Jaffe, Esq.
23 Nevada Bar No. 007035
24 Kevin S. Smith, Esq.
25 Nevada Bar No. 007184
7425 Peak Drive
Las Vegas, Nevada 89128
Attorneys for Defendant Lowe's Home Centers, LLC

Lisa Rico

From: ebbesqltd@yahoo.com
Sent: Friday, April 14, 2023 4:37 PM
To: Kevin Smith
Cc: Steve Jaffe; Lisa Rico; Lisa Holding; Noah Cicero
Subject: Re: Hart - Lowe's Response to Hart's Opp & Settlement Conference
Attachments: 4-14-23 EBB Signed Stip to Ext Time for Lowes to Reply to Opp to MSJ.pdf

Dear Mr. Smith,

Mr. Bryson approves and you may affix his electronic signature or use his actual signature attached.

Respectfully,

Ron Hirsch
Legal Assistant to:

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On Friday, April 14, 2023 at 04:02:20 PM PDT, Kevin Smith <ksmith@lawhjc.com> wrote:

Attached is the proposed stip. If acceptable, we will finalize and submit to the Court. Please advise if we have Mr. Bryson's consent to sign electronically on behalf of the Plaintiff.

KEVIN S. SMITH, ESQ.

HALL JAFFE & CLAYTON, LLP